

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 3043 - SB 3118

March 5, 2012

SUMMARY OF BILL: Specifies the evidence that may be used by a governmental entity when establishing evidence of abandonment of a property. The governmental entity with jurisdiction over the property must also establish a beginning and ending date of the thirty-month continuous period by evidence of abandonment. The credible evidence of abandonment provided by the jurisdictional government entity will create a rebuttable presumption of abandonment for the prescribed period.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Pursuant to Tenn. Code Ann. § 13-7-208 (g)(4), jurisdictional government entities must prove that the owner of a property intentionally or voluntarily abandoned a non-conforming use property.
- This bill will remove the language suggesting property must be intentionally or voluntarily abandoned and specify the evidence required to prove abandonment of a non-conforming use property.
- Newly designated acceptable proof includes: deteriorating structures, utility connection information, dated pictures indicating abandonment of the non-conforming use, or affidavits of local government officials indicating that the non-conforming use has been abandoned.
- It is assumed procuring any of the acceptable forms of proof will not cause an increase in state or local government expenditures.
- According to the Comptroller's office, any impact to state or local government expenditures as a result of this bill is thought to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "L. D. G." followed by a flourish.

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Lucian D. Geise, Executive Director

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